

II. REMARKS

Claims 1-68, 81, 87 and 89 are pending. Claims 69-80, 82-86, 88 and 90-93 have been withdrawn without prejudice.

In the Office Action mailed December 18, 2004, the Examiner required restriction of the invention under 35 U.S.C. § 121 to one of the following inventions:

Group I: Claims 1-68, 81, 87 and 89, drawn to a method for providing local analgesia by administering a therapeutic composition of matter containing bupivacaine, carriers and excipients encapsulated in microspheres;

Group II: Claims 69-80, 88, 90, 91, 92 and 93 drawn to a therapeutic composition of matter containing bupivacaine, carriers and excipients encapsulated in microspheres useful for providing local analgesia;

Group III: Claims 82-83, drawn to a method for providing local analgesia by administering a therapeutic composition of matter containing bupivacaine, various corticosteroid compounds, carriers and excipients encapsulated in microspheres;

Group IV: Claim 84, drawn to a method for measuring local anesthetic compound levels in vivo;

Group V: Claim 85, drawn to a method for measuring local corticosteroid levels in-vivo; and

Group VI: Claim 86, drawn to a method for making a therapeutic composition of matter containing bupivacaine, carriers and excipients encapsulated in microspheres useful for providing local analgesia.

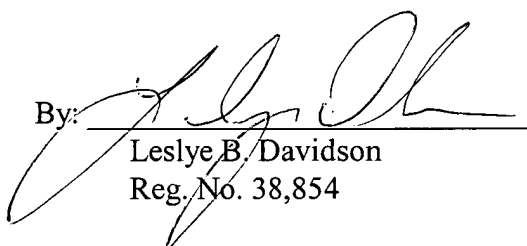
In response to the Restriction Requirement, Applicants elect Group I, claims 1-68, 81, 87 and 89. This election is made without traverse.

III. CONCLUSION

It is believed that no fee is due for this response. If it is determined that any fees are due, the Commissioner for Patent is hereby authorized to charge said fees to Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully Submitted
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